

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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ANNE POPE, et al., :
Plaintiffs, : No. 11-CV-0736 (LEK) (DRH)
v. :
COUNTY OF ALBANY, et al., :
Defendants. :
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**ORDER TO SHOW CAUSE FOR A TEMPORARY
RESTRANDING ORDER**

Upon sufficient reason appearing from the Affirmation of Paul DerOhannesian II, Esq. dated August 3, 2011, the previously filed declarations and their annexed exhibits (Declaration of Ingrid Allard, M.D., Docket No. 16; Declaration of Samuel Coleman, Docket No. 22; Declaration of William Cooper, Docket No. 25; Amended Declaration of William Cooper, Docket No. 54; Declaration of Paul DerOhannesian II, Docket No. 29; Declaration of Corey Ellis, Docket No. 27; Declaration of Joseph Gomez, Docket No. 18; Declaration of Carlos Gonzalez, Docket No. 23; Declaration of Janis Gonzalez, Docket No. 17; Declaration of Alice Green, Docket No. 13; Declaration of Baodong Liu, Docket No. 24; Declaration of Aaron Mair, Docket No. 28; Declaration of Lucille McKnight, Docket No. 20; Declaration of Carolyn McLaughlin, Docket No. 38; Declaration of Anne Pope, Docket No. 14; Declaration of Kathy Sheehan, Docket No. 19; Declaration of Noelene Smith, Docket No. 21; Declaration of Barry Walston, Docket No. 15; Declaration of Sandra Webb-Williams, Docket No. 39; Declaration of Wanda Willingham, Docket No. 26), Plaintiffs' Memorandum of Law In Support of Their Motion For Preliminary Injunction, dated July 15, 2011, Docket No. 30, Plaintiffs' Complaint, dated June 29, 2011, Docket No. 1, the evidentiary hearing on Plaintiffs' Motion for Preliminary

Injunction that began on August 3, 2011, and all prior papers and proceedings had herein, plaintiffs Anne Pope, Wanda Willingham, and Janis Gonzalez (the “Plaintiffs”) have clearly and specifically shown good and sufficient cause that the Court should dispense with the notice of motion requirement of Local Rule 7.1(b), and therefore it is hereby:

ORDERED that defendant County of Albany, appearing by Peter Barber, Esq., and the defendant Albany County Board of Elections, appearing by Thomas Marcelle, Esq. (collectively, the “Defendants”), show cause before this Court, at Courtroom 1, James T. Foley U.S. Courthouse, 445 Broadway, Albany, New York, on August 4, 2011, at 9:00 a.m. EDT, why an order should not be issued, pursuant to Rule 65 of the Federal Rules of Civil Procedure, temporarily enjoining and restraining, until the Court rules on Plaintiffs’ motion for a preliminary injunction, Defendants, their officers, agents, attorneys, employees and successors in office as well as all persons in active concert with them from:

1. conducting the petition process, gathering signatures, holding, supervising, or certifying any further proceedings, certifying candidates, printing ballots, or holding or conducting any further primary or general elections for the Albany County Legislature in any district; or
2. implementing, utilizing, or certifying elections for the Albany County Legislature in any district;

and it is further

ORDERED that service of a copy of this Order to Show Cause and all of the papers submitted in support thereof, by hand, e-mail, or ECF upon defendants or their counsel, shall be deemed good and sufficient service hereof.

SO ORDERED THIS ____ day of August, 2011.

United States District Judge